

Appl. No. 09/890,180
Amdt. dated November 21, 2005
Reply to Office Action of August 24, 2005

PATENT

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REMARKS/ARGUMENTS

Before this Amendment, claims 1-19 were presented for examination. No claims are amended, canceled, or added with this Amendment. Therefore, claims 1-19 remain presented for examination, and claims 1, 6, 7, 11, and 15 are the independent claims. No new matter is added by these amendments. Applicants respectfully request reconsideration of this application as amended.

In the Office Action dated August 24, 2005 ("Office Action"), claims 1-4, 6-9 and 11-19 were rejected under 35 U.S.C. §102(b) as being anticipated by the cited portions of Barkan, European Application No. EP 0738085 A2 ("Barkan"). Claims 5 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Barkan in view of Ganesan, U.S. Patent No. 5,535,276, ("Ganesan"). The rejections are respectfully traversed

§102(b) Rejections ~ Barkan

For a valid anticipation rejection, the Office must show that each limitation from the claims appears in a single piece of prior art. Applicants believe significant limitations from the independent claims are not taught in the Barkan reference. More specifically, Barkan does not teach (1) the step of generating a secret key at the gateway controller, (2) the step of distributing the generated key to both telephony adapters, or (3) the telephony adapters of the claims. Each of the independent claims generally teach these elements, and thus the elements will be addressed for the claims as a group.

1. Key Generation: The claimed embodiments recite *generating a secret key at a gateway controller*. However, the Barkan reference teaches something quite different. The Office indicates that the "key distribution center" of Barkan reads on the gateway controller of claims (Office Action, p. 3, l. 4; p. 4, l. 15; p. 6, l. 5; p. 8, l. 10). But it is not the key distribution center that is generating the key at issue in Barkan. Instead, it is the addressee (i.e., facility 3, the second user) in Barkan who generates the key at issue (Barkan, col. 6, ll. 24-29; col. 16, ll. 17-21). Barkan describes a procedure where the addressee generates a public key to be transmitted to the key distribution center, which forwards the key to the initiator. It is not suggested that the key distribution center generate this particular key.

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2. Key Distribution: The claims further call for the gateway controller to distribute the secret key to the *first and second* telephony adapters called for in the claims. The Office asserts that Barkan reads on this limitation, indicating that the initiator and addressee read on the telephony adapters of the present claims. But the Office cites portions of Barkan which describe a key distribution center which *forwards* the *public key from the addressee to the initiator* (Office Action, p. 3, ll. 9-11; p. 5, ll. 9-10; p. 6, ll. 16-19; p. 8, ll. 12-17, *citing* Barkan, col. 3, ll. 17-25; col. 6, ll. 35-40; col. 7, ll. 45-50). Thus, in Barkan, the public key is forwarded to an initiator, but is distributed *from*, instead of *to*, the addressee. Compare the present claims, wherein the secret key is distributed from the gateway controller to both the first and second telephony adapters.

3. Telephony Adapters: The telephony adapters of the claims are directed at "achieving secure communication in an IP telephony network" (Original Application, p. 3, ll. 23-26). The Office states that facility 1 and 3 in Barkan read on the telephony adapters of the claims (Office Action, p. 3, ll. 4-6). But there is no teaching or suggestion in Barkan that these "facilities" can be used as an IP telephony adapter. They instead provide general methods for secure distribution of an encryption key between devices.

Claims 1, 6, 7, 11, and 15 are believed allowable for at least the foregoing reasons. Claims 2-5, 8-10, 12-14, and 16-19 each depend from the independent claims, and these claims are believed allowable for at least the same reasons as given above.

Abstract: The Abstract of the disclosure is objected to because an abstract is required on a separate sheet by itself. The replacement Abstract sheet is attached.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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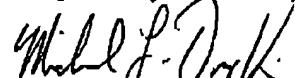
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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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